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13 Attorneys for Plaintiff
14 UNITED STATES OF AMERICA

15 UNITED STATES DISTRICT COURT

16 FOR THE WESTERN DISTRICT OF NORTH CAROLINA

17 IN RE: REAL PROPERTY AT 27652)
18 DUNGARVIN LANE, SAN JUAN)
19 CAPISTRANO, CALIFORNIA 92675,)
20 FURTHER DESCRIBED AS PARCEL)
21 NUMBER 675-301-09, TR 9784, LOT)
22 100, SURFACE A)

3:09MC122

23 FILE IN GRANTOR INDEX UNDER:

24 Alan Bellanca, Jill Viera)
25 Bellanca, Jill Bellanca,)
26 Dungarvin Residence Trust I,)
27 and Dungarvin Residence Trust)
28 II.

ORDER RELEASING ORDER AND LIS
PENDENS AS TO REAL PROPERTY
LOCATED AT 27652 DUNGARVIN
LANE, SAN JUAN CAPISTRANO,
CALIFORNIA.

29 WHEREAS, the United States of America, by and through
30 Special Agent James R. Meade of the Federal Bureau of
31 Investigation, presented an affidavit to the Court alleging that
32 the above-captioned property is proceeds of wire fraud conspiracy
33 or property involved in money laundering conspiracy, such fraud
34 or money laundering conspiracy committed in violation of 18
35 U.S.C. §§ 371 or 1956, is traceable to such proceeds or involved
36 in property, or is substitute property as set forth in 21 U.S.C.

1 § 853(p);

2 WHEREAS, the Court, having reviewed the affidavit, issued an
3 Order and Lis Pendens against the above-captioned property;

4 WHEREAS, the United States has advised the Court that a sale
5 of the above-captioned property is pending and Alan Bellanca
6 intends to deliver to his defense attorney, Christopher Fialko,
7 or to the FBI, for ultimate payment of restitution, \$22,737.61 in
8 funds generated by the sale of the above-captioned property; and

9 WHEREAS, the United States has advised the Court that
10 release of the Order and Lis Pendens may enable the prospective
11 buyer of the property to obtain financing and deliver the
12 \$22,737.61 in funds to Alan Bellanca, care of Mr. Fialko, or to
13 the FBI;

14 THEREFORE, the United States is directed forthwith to file
15 this Order and Lis Pendens with the appropriate state or local
16 public depository; and

17 ALL WHO READ THIS ORDER RELEASING ORDER AND LIS PENDENS TAKE
18 NOTICE that the Order and Lis Pendens filed at Orange County
19 Clerk-Recorder Instrument Number 2009000375908 is hereby
20 released.

21 This the 22 day of April, 2010.

22
23 
24 Honorable David S. Cayer
25 UNITED STATES MAGISTRATE JUDGE
26

27 TO THE RECORDER OF THIS INSTRUMENT: PLEASE MAIL ANY AND ALL
28 RECORDED COPIES TO THE UNITED STATES ATTORNEY FOR THE WESTERN
DISTRICT OF NORTH CAROLINA AT THE ABOVE ADDRESS.